

FILED

MAR 22 2018

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

Diaz Duncan

Plaintiff

v.

Marion County Marriage License Division

Ms. m.mms

Defendant(s)

Case Number:

18-595-MJM-SCW
(Clerk's Office will provide)

PRO SE CIVIL RIGHTS COMPLAINT

(Non-Prisoner)

I. JURISDICTION

Subject matter jurisdiction is invoked under 28 U.S.C. § 1331, 28 U.S.C. § 1343(a)(3), and/or 42 U.S.C. § 1983. List any additional bases for federal subject matter jurisdiction here:

31 U.S. Code Chapter 38 - Administrative Remedies for False Claims & Statements
5 U.S. Code § 702 - Right of Review
18 U.S. Code § 875 - Interstate Communications

II. PARTIES

Plaintiff:

A. Plaintiff, a citizen of Illinois (state), who resides at P.O. Box 643, Herrin IL 62948, alleges that his/her civil rights were violated by the individual(s) named below.

Defendant #1:

B. Defendant Ms. m.mms is employed as
(a) (Name of First Defendant)
Office Manager
(b) (Position/Title)

with Marion County Marriage License Division
(c) (Employer's Name and Address)

200 E Washington St. W-122, Indianapolis IN 46204

At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? ☒ Yes ☐ No

If your answer is YES, briefly explain:

Check one of the following:

☐ This defendant **personally participated** in causing my injury, and I want **money damages**.

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something).

Defendant #2:

C. Defendant Marion County Marriage License Division is employed as
(Name of Second Defendant)

(Position/Title)

with Marion County Marriage License Division
(Employer's Name and Address)

200 E Washington St. W-122, Indianapolis IN 46204

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain:

Implied

Check one of the following:

☐ This defendant **personally participated** in causing my injury, and I want **money damages**.

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something).

Defendant #3:

D. Defendant _____ is employed as
(Name of Third Defendant)

(Position/Title)

with _____
(Employer's Name and Address)

At the time the claim(s) alleged in this complaint arose, was Defendant #3 employed by the state, local, or federal government? ☐ Yes ☐ No

If you answer is YES, briefly explain:

Check one of the following:

☐ This defendant **personally participated** in causing my injury, and I want **money damages**.

☐ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone to something).

Additional Defendant(s) (if any):

E. Using the outline set forth above, identify any additional Defendant(s), using additional pages, if necessary.

III. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in this federal court?

☐ Yes ☒ No

B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline.

1. Parties to previous lawsuits:

Plaintiff(s):

Defendant(s):

2. Case number:

3. Name of Judge to whom case was assigned:

4. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?):

IV. STATEMENT OF CLAIM

State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you wish to present legal arguments or citations, file a separate memorandum of law. If you intend to allege several related claims, number and set forth each claim in a separate paragraph.

When: 2012-Present

Where: Indiana

How: False claims were made in my absence.

Documentation used to create union of marriage was invalid.

Identities and vital information used created perjury before the court.

Whom: Marion County Marriage License Division

Ms. Nimmis

V. REQUEST FOR RELIEF (*check as many boxes as appropriate*)

Plaintiff requests that the court grant the following relief:

Compensatory damages in the amount of \$ 0.

Punitive damages in the amount of \$ 0.

An ordering requiring defendant(s) to:

Destroy any record of the union

A declaration that:

The documentation and identities used to create the union did not satisfy the courts request therefore rendering union invalid.

Other:

A preliminary injunction is being requested due to extreme circumstances created by the union of marriage.

VI. JURY DEMAND (*check one box below*)

Plaintiff ☒ does or ☐ does not request a trial by jury.

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed on: 3/20/2018
(date)



Signature of Plaintiff

PO Box 643
Street Address

Diaz Duncan
Printed Name

Herrin, IL, 62948
City, State, Zip

Attachment A)

Reading through the information I discovered while on the United States District Court for the Southern District of Illinois website, three agencies I've contacted were:

- ☐ Illinois Lawyer Finder (800) 922-8757
- ☐ Land of Lincoln (877) 342-7891
- ☐ National Crime Victim Bar Association (844-529-4357)

Illinois Lawyer Finder referred me to Amanda Gott of Marion IL (618) 579-0579, but unfortunately I cannot afford her services.

I've never been able to afford to travel 4 hours to Indianapolis to file and attend court dates required to address the discrepancies that has created the financial, emotional, physical, and mental burden that has been created in Indiana in my absence.

I've taken a financial risk in addressing a portion in these matters in 2015-2016. To date, I've lost \$8,000, and still owe \$800 in legal fees to a lawyer, Vanessa Lopez Law Office ((317) 542-3142).

Because of the lack of income and the stress it's caused in my life, along with the dependents (Including 3 children, all under the age of 12), I'm requesting help in my search for creating stability within my household.

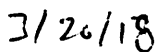
My children are in a position of losing the best home and education they've ever had access to.



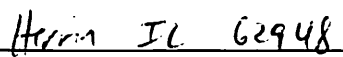
Movant's Signature



Street Address



Date



City, State, Zip